

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

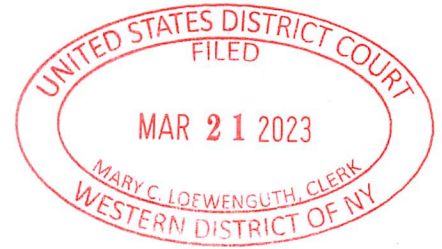
THE UNITED STATES OF AMERICA ex rel.,
NONA WATSON,

Plaintiffs,

V.

CITY OF BUFFALO

Defendant.



19-CV-1564

FILED UNDER SEAL

**UNITED STATES' NOTICE OF ELECTION TO
DECLINE TO INTERVENE**

Pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(4)(B), the United States hereby notifies the Court of its decision not to intervene in the above-captioned *qui tam* action.

Although the United States declines to intervene, we respectfully refer the Court to 31 U.S.C. § 3730(b)(1), which allows the Relator to maintain the action in the name of the United States, providing, however, that the "action may be dismissed only if the court and the Attorney General give written consent to the dismissal and their reasons for consenting." Id. Therefore, the United States requests that, should either the Relator or the Defendant propose that this action be dismissed, settled, or otherwise discontinued, this Court solicit the written consent of the United States before ruling or granting its approval.

Furthermore, pursuant to 31 U.S.C. § 3730(c)(3), the United States requests that any and all pleadings, motions, papers, and discovery filed in this action be served upon the United States. The United States further requests that all orders issued by the Court be sent

to counsel for the United States. The United States reserves its right to order any deposition transcripts, to intervene in this action for good cause at a later date, and to seek the dismissal of the Relator's action or claim. The United States also requests that it be served with all notices of appeal.

Finally, the United States requests that the Relator's Complaint, this Notice of Election to Decline Intervention, and the Court's Order be unsealed and served upon the Defendant. The United States requests that all other papers on file in this action remain under seal because in discussing the content and extent of the United States' investigation, such papers are provided by law to the Court alone for the sole purpose of evaluating whether the seal and time for making an election to intervene should be extended.

A proposed order accompanies this Notice of Election to Decline Intervention.

Respectfully submitted,

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